

# Notice of Allowability

Application No.

09/820,854

Examiner

Brian R. Gordon

Applicant(s)

KAWAMURA, TATSUROU

Art Unit

1743

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-23-07.
2. ☒ The allowed claim(s) is/are 9,11-18 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ramyar Farid on August 01, 2007.

In the Specification at page 8, the third and fourth full paragraph should read as follows:

Further, when the sample solution is a urine, it is effective that the steps (a) to (c) are conducted after the sample cell installed in a position closed to a side wall of a toilet bowl is moved into a hollow space of the toilet bowl, and the rest of the steps are conducted after the sample cell is restored to the initial (original) position.

When the sample solution is a urine, it is also effective that the steps (a) and (b) are conducted after the sample cell installed in a position closed to a side wall of a toilet bowl is moved into a hollow space of the toilet bowl, and the rest of the steps are conducted after the sample cell is restored to the initial position.

In the claims

Amend the last two lines of claim 12 to read as follows:

wherein said sample solution is transfused from said sample cell to another sample cell after the step (b), and step (c) is ~~the rest of the steps are~~ conducted thereafter.

16. (Currently amended) The method for controlling a measurement system in accordance with claim 11, wherein said sample solution is a urine, the steps (a) to (c) are conducted after said sample cell installed in a position closed to a side wall of a toilet bowl is moved into a hollow space of said toilet bowl, ~~and the rest of the steps are conducted after said sample cell is restored to the initial position.~~

17. (Currently amended) The method for controlling a measurement system in accordance with claim 11, wherein said sample solution is a urine, the steps (a) and (b) are conducted after said sample cell installed in a position closed to a side wall of a toilet bowl is moved into a hollow space of said toilet bowl, and step (c) is ~~the rest of the steps are~~ conducted after said sample cell is restored to the initial position.

***Allowable Subject Matter***

2. Claims 9, 11-18, and 30 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian R. Gordon whose telephone number is 571-272-1258. The examiner can normally be reached on M-F, Telework Thurs., 1st Fri. Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian R Gordon  
Primary Examiner  
Art Unit 1743

A handwritten signature in black ink, appearing to be 'BRG', with a long horizontal flourish extending to the right.

brg